

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA

UNITED STATES OF AMERICA	)	
	)	
	)	No. 1:05-CR-103
v.	)	
	)	Judge Curtis L. Collier
	)	
PHILIP ALLEN DRISCOLL, <i>et al.</i>	)	

**ORDER**

Defendants have filed the following three motions: (1) Joint Motion for a Witness List (Court File No. 30); (2) Joint Motion for More Specific Designation of Evidence the Government Intends to Use in its Case-In-Chief (Court File No. 34); and (3) Joint Motion for Bill of Particulars (Court File No. 36).

Such motions are typically filed in federal criminal cases and are typically denied. Federal trial courts generally issue some type of uniform or omnibus order near the initiation of a criminal prosecution placing requirements on both sides to disclose or share information regarding the case. Such an order was issued in this case. (Court File No. 11, Discovery and Scheduling Order). If something out of the norm is sought, as is the case with these motions, it is the Court's general practice to suggest the parties discuss the matters between or among themselves. Often in horse trading one party will give up something the law does not require them to do in order that they will receive something the law does not entitle them to receive. Such communications are more effective than judicial intervention in many cases.

There is no indication the parties have engaged in this type of communication among

themselves. It may be if the defendants are willing to furnish the government with a list of its witnesses, then the government will be willing to reciprocate. The Court would suggest that this alternative be pursued.

Having been presented with nothing indicating these motions are prompted by anything unusual or out of the ordinary, the Court will follow the practice federal courts typically take with such motions, and **DENY** them.

**SO ORDERED.**

**ENTER:**

/s/  
**CURTIS L. COLLIER**  
**CHIEF UNITED STATES DISTRICT JUDGE**